

Appl. No. 10/530,644
Amdt. dated June 8, 2007
Reply to Office Action mailed January 8, 2007

REMARKS/ARGUMENTS

Claims 1-8 and 10-21 are pending. Claim 9 has been cancelled without intending to abandon or to dedicate to the public any patentable subject matter. As set forth more fully below, reconsideration and withdrawal of the Examiner's rejections of the claims are respectfully requested.

Rejection Under 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected Claim 11 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The Examiner states the non-grammatical language, "any one of claim 3..." is vague and indefinite because the scope of the claim is not clear. Applicants have amended Claim 11 to overcome this rejection. Applicants therefore submit that the recitation of the dependency is sufficiently definite to meet the requirements of 35 U.S.C. § 112, second paragraph. The Examiner is therefore respectfully requested to withdraw the § 112 rejection of Claim 11.

Claim Rejections Under 35 U.S.C. § 103

The Examiner has rejected Claims 1 and 3-12 under 35 U.S.C. § 103(a) as being obvious over Japanese Patent No. 11-154325 in view of Benning (US 6,254,461).

The framework for applying the statutory language of 35 U.S.C. § 103 was set forth in *Graham v. John Deere Co. Of Kansas City*, 383 U.S. 1 (1966). Using that analysis, first, the scope and content of the prior art must be determined. Differences between the prior art and the claims in issue must then be ascertained. Next, the level of ordinary skill in the pertinent art is resolved. Against this background, the obviousness or non-obviousness of the claimed subject matter is determined. Secondary considerations may be utilized in this analysis to give light to the circumstances surrounding the origin of the subject matter sought to be patented. *KSR International Co., v. Teleflex Inc.*, 167 L.Ed.2d 705 (2007) (quoting *Graham*, at 17-18).

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Consistent with 35 U.S.C. § 103(a), the *Graham* analysis sets forth a broad, expansive, and flexible approach to use in determining obviousness. *KSR*, at 720.

The Examiner describes JP 11-154325 as disclosing a manufacturing method comprising substantially all of the subject matter of the pending claims while Benning teaches the expedience of providing a dressing step prior to the rough polishing step to bring the polishing surfaces to a desired smoothness and planarity. Thus, the Examiner argues that it would have been obvious to perform the polishing method described in JP 11-154325 with an initial dressing step as taught by Benning.

Applicants respectfully submit however that neither JP 11-154325 or Benning teach or suggest the use of a polishing pad on the hard polisher that has a surface that makes contact with the raw glass material that has a specific average undulation height. This feature of the present invention makes it possible to efficiently and effectively reduce microscopic undulations during the polishing process. In contrast, JP 11-154325 discloses a method in which the surface of the glass substrate is ground and polished in multiple stages during the manufacturing process in order suppress the formation of microscopic protuberances. Benning teaches a dressing operation performed on a dual-head lapping apparatus having urethane heads and utilizing a diamond dressing element and similarly does not disclose the use of a polishing pad having a predetermined specific undulation height. Thus, neither JP 11-154325 nor Benning, alone or in combination, teach or suggest the solution to the production of glass recording substrates having significantly decreased microscopic undulations of the present invention that includes the use of a polishing pad having a specific undulation height tolerance. Applicants have cancelled Claim 9 and amended Claim 1 to specifically recite these characteristics of the polishing pad that originally appeared in Claim 9. Therefore, Applicants submit that the combination of JP 11-154325 and Benning does not teach each element of the instant claims, as amended. Accordingly, Applicants respectfully request that the Examiner's rejections under 35 U.S.C. § 103(a) be withdrawn.

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Based at least upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,
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